

REMARKS

Claims 6, 7, 9, and 11 are pending in the present application. Claims 6, 9 and 11 have been amended. Claims 8, 17 and 20-23 have canceled, and the features of dependent claims 17 and 20-23 have been incorporated in the corresponding independent claims. No new matter has been introduced.

Claim 11 has been rejected as anticipated by Green et al., U.S. Patent No. 5,643,319 ("Green"). This rejection is respectfully traversed.

Green does not anticipate the subject matter of claim 11. Green does not disclose a driver with "a distally open-ended slot formed as a narrow, elongate opening formed axially through a wall of the shaft adjacent the recess and opening into the shaft cannula, the slot being continuous with the recess formed in the distal end of the shaft, the slot having a closed end located along the shaft proximal to the recess," much less "a cannulated handle attached to the proximal end of the [cannulated] shaft [of the driver], the cannulated handle and the cannulated shaft of the driver receiving a suture strand loaded through a flexible eyelet of the suture anchor," as recited in amended independent claim 11. The rejection over Green should be withdrawn.

Claim 11 has been rejected as anticipated by Anspach, U.S. Patent No. 5,102,421 ("Anspach"). This rejection is respectfully traversed.

Anspach does not disclose a driver with "a distally open-ended slot formed as a narrow, elongate opening formed axially through a wall of the shaft adjacent the recess and opening into the shaft cannula, the slot being continuous with the recess formed in the distal end of the shaft, the slot having a closed end located along the shaft proximal to the recess" or "a cannulated handle attached to the proximal end of the [cannulated] shaft [of the driver], the cannulated handle and the cannulated shaft of the

driver receiving a suture strand loaded through a flexible eyelet of the suture anchor," as recited in amended independent claim 11. For at least these reasons, the rejection over Anspach should be withdrawn.

Claim 8 has been rejected as unpatentable over Green or Anspach or Larsen et al., U.S. Patent No. 5,993,459 ("Larsen"). Claim 8 has been canceled.

Claims 9, 17, 20 and 23 have been rejected as obvious over Anspach in view of Grafton et al., U.S. Patent No. 5,964,783 ("Grafton"). Claims 20 and 23 have been canceled. The rejection of claim 9 and dependent claim 17 is respectfully traversed.

Anspach and Grafton, considered alone or in combination, fail to disclose, teach or suggest the subject matter of independent claim 9. Neither Anspach nor Grafton discloses, teaches or suggests "a hand driver having a fully cannulated handle and a cannulated shaft with an open recess on an end of the shaft" and "an insert molded ribbed suture anchor comprising an anchor body molded around suture to form a suture loop, the suture loop extending outside the anchor body at the proximal end of the anchor, the proximal end of the anchor being round and tapered, the round, tapered proximal end of the suture anchor being received in the recess on the end of the cannulated shaft of the hand driver, the anchor body comprising a plurality of adjacent truncated cones, the anchor body terminating at its distal end in a truncated cone with a blunt tip" and "a suture strand which is loaded through the flexible eyelet of the suture anchor and passes through the cannulated shaft and cannulated handle of the hand driver," as claim 9 recites.

Applicants also submit that a person of ordinary skill in the art would not arrive at the invention as recited in claim 9 by combining the teachings of Grafton with those of Anspach. For example, a suture passed through loop 11 of the suture anchor of

Grafton could not be accommodated completely through the shaft of the suture anchor driver of Anspach, and Anspach does not disclose or even remotely suggest a cannulated handle. Anspach discloses a slit 56 that extends only through one side of suture anchor 2 to allow suture strand 5 to pass through it. For at least these reasons, the rejection over Anspach in view of Grafton should be withdrawn.

Claims 6 and 21 have been rejected as obvious over Thal, U.S. Patent No. 5,569,306 ("Thal") in view of Grafton and Fucci et al., U.S. Patent No. 5,697,950 ("Fucci"). Claim 21 has been canceled. The rejection of claim 6 is respectfully traversed.

Applicants submit that the cited prior art references, considered alone or in combination, do not disclose, teach or suggest all limitations of claim 6. None of Thal, Grafton and Fucci discloses the step of "loading a suture strand through a flexible eyelet extending from a round, tapered proximal end of an insert molded ribbed, non-threaded suture anchor, the suture anchor comprising a series of truncated cones terminating at its distal end in a truncated cone with a blunt distal tip, the flexible eyelet comprising a loop of suture, a portion of which has been insert molded into the suture anchor."

The three cited references are also silent about "attaching a hand driver to the suture anchor, the driver having a cannulated handle and a cannulated shaft extending from the handle, the cannulated shaft having a recess at a distal end thereof which receives the round, tapered proximal end of the suture anchor, the suture strand loaded through the flexible eyelet of the suture anchor being passed through the cannulated shaft and cannulated handle of the hand driver."

Thus, for at least the reasons above, the rejection of claim 6 should be withdrawn.


Claims 7 and 22 have been rejected as obvious over Tran, U.S. Patent No. 6,582,453 ("Tran") in view of Larsen and Grafton. Claim 22 has been canceled. The rejection of claim 7 is respectfully traversed.

Tran, Larsen and Grafton, considered alone or in combination, fail to disclose, teach or suggest the steps of "loading a leg of the length of suture through an eyelet of an insert molded ribbed suture anchor," "positioning the ribbed suture anchor on a plication driver, the leg of the length of suture exiting through a slot in the side of the plication driver" and "advancing without turning the insert molded ribbed, non-threaded suture anchor into the hole," as independent claim 7 recites.

For the reasons set forth above, Applicants respectfully submit that the present invention as set forth in the amended claims is distinguishable over the cited references. Allowance of all pending claims is solicited.

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